

# In the United States Court of Federal Claims

## OFFICE OF SPECIAL MASTERS

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SCOTT A. HOERTH,

Petitioner,

v.

SECRETARY OF HEALTH  
AND HUMAN SERVICES,

Respondent.

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No. 19-1016V

Special Master Christian J. Moran

Filed: September 1, 2020

### ORDER CONCLUDING PROCEEDINGS<sup>1</sup>

On August 20, 2020, petitioner moved for voluntary dismissal under Vaccine Rule 21(a). Because petitioner did not submit a stipulation of dismissal signed by all parties, it appears that petitioner is seeking voluntary dismissal “at any time before service of respondent’s report,” as permitted by Vaccine Rule 21(a)(1)(A). Since respondent has not yet filed his Rule 4 report, petitioner is able to request voluntary dismissal on this basis.

Accordingly, pursuant to Vaccine Rule 21(a), the above-captioned case is hereby **dismissed without prejudice**. The Clerk of the Court is hereby instructed that a **judgment shall not enter** in the instant case pursuant to Vaccine Rule 21(a).

**IT IS SO ORDERED.**

s/ Christian J. Moran

Christian J. Moran

Special Master

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<sup>1</sup> The E-Government Act, 44 U.S.C. § 3501 note (2012) (Federal Management and Promotion of Electronic Government Services), requires that the Court post this decision on its website. Pursuant to Vaccine Rule 18(b), the parties have 14 days to file a motion proposing redaction of medical information or other information described in 42 U.S.C. § 300aa-12(d)(4). Any redactions ordered by the special master will appear in the document posted on the website.